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REMARKS

Claims 1-30 of the application stand rejected. Claims 1-10, 15-19 and 24-30 have been amended herein to more clearly define the scope of the presently claimed invention. Applicant respectfully requests reconsideration of pending Claims 1-30 in light of the amendments and remarks herein.

Specification

The Examiner objected to the specification due to the lack of a "Summary of the Invention" section. The Examiner suggests that 37 C.F.R. §1.77(b) requires a Summary of the Invention. Applicant respectfully disagrees. 37 C.F.R. §1.77(b) merely indicates where in the application the "Summary of the Invention" should be placed if Applicant elects to include one. Neither the M.P.E.P. nor Title 37 of the C.F.R. requires the presence of a "Summary of the Invention" in a patent application. In particular, 37 C.F.R. §1.73 only states that "A brief summary of the invention ... *should* precede the detailed description. Such summary should, *when set forth*, be commensurate with the invention as claimed..." (emphasis added). 37 CFR § 1.73 does not state "must" or "shall" and the permissive language indicates that it is within the Applicant's discretion to make an election whether to include a summary. Accordingly, Applicant has elected not to include a "Summary of the Invention". Applicant therefore respectfully requests the Examiner to withdraw the objection to the specification.

Claim objections

Claims 4 and 6-9 were objected to for various minor inconsistencies. Applicant respectfully submits that the claims, as amended, no longer include these inconsistencies and respectfully request the Examiner to withdraw the objection.

35 U.S.C. §101

Claims 24-30 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicant respectfully submits that Claims 24-30, as amended, overcome the Examiner's rejection. Specifically, as amended, Claims 24-30 are now

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directed to an article of manufacture, including instructions that, when executed by a machine, cause the machine to present catered information to a user by performing the various listed elements. The claims as amended thus meet the statutory requirements of patentable subject matter and Applicant thus respectfully requests the Examiner to withdraw the rejection to Claims 24-30 under 35 U.S.C. §101.

35 U.S.C. §103

Claims 1-4, 7, 9-14, 24-25, 28 and 30 stand rejected under 35 U.S.C. §103 as being unpatentable over Sullivan (U.S. Patent No. 5, 737, 557, "Sullivan") in light of Bodnar et al. (U.S. Patent No. 6,310,634, "Bodnar"). Applicant respectfully traverses the Examiner's rejection.

The Examiner submits that Sullivan teaches all but one element of independent Claims 1 and 24. Applicant respectfully disagrees. Sullivan describes an intelligent windows user interface for computers. More specifically, Sullivan describes a user interface that provides an integrated visual representation of multiple applications (software suites) and/or programs (Sullivan, Abstract). In Sullivan, each software suite has associated therewith a storage element in which is stored contextual information for defining the appearance and behavior of the software suite window and the icons displayed therein and for identifying the locations of files associated with the icons. This contextual information may also include, for example, an order in which related files in the suite are to be executed, as well as file history and manufacturing information for the items represented in the suite. (Sullivan, Col. 3, lines 27-35). By using an access button to select a software suite, the corresponding user interface may be launched. (Sullivan, Col. 5, lines 35-45).

Sullivan is thus significantly different than the method, apparatus and system as claimed herein. As claimed herein, the invention is not directed at a unified user interface or at an interface capable of allowing a user to select new user interfaces representing various software suites. Instead, the presently claimed invention is directed at an intelligent, dynamically customized (or catered) user interface. As described in the specification, when a user requests information, the information is presented on a user interface after being gathered by the system. The content (for the user interface) initially

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comes from a repository of information (Page 3, lines 29-35). An extraction agent monitors the repository of information for updated and new data and fetches it to the storage. This is done by the direction of the user, either through a direct and explicit direction, or from an analysis of the user's historical requests and a "smart" agent that determines the user's interest from the past history and contextual information such as, for example, a calendar or travel itinerary (Page 4, lines 3-7).

Thus, as claimed, according to embodiments of the invention, the interface may be dynamically customized according to various factors such as the user's explicit input, the user's previous activity and/or contextual information. More specifically, Claims 1 and 24 include the limitation of retrieving sub-items from a storage medium, where the sub-item are dynamically selected based on at least one predetermined factor (e.g., the user's explicit input, the user's previous activity and/or contextual information). Sullivan does not teach or suggest any form of dynamic selection to generate an intelligently customized user interface for a user. Additionally, Sullivan does not teach or suggest using the user's explicit input, previous activity and/or contextual information to affect the presentation of the user interface.

Similarly, Bodnar also does not teach or suggest any form of dynamic selection and/or using the user's explicit input, previous activity and/or contextual information to dynamically customize an interface. Thus, the combination of Sullivan and Bodnar do not render any of the claims unpatentable because they do not teach or suggest all elements of independent Claims 1 and 24. Claims 2-4, 7, 9-14 and Claims 25, 28 and 30 are dependant on Claims 1 and 24 respectively. As such, these claims also include these limitations not taught by Sullivan and/or Bodnar. Applicant therefore respectfully submits that Sullivan and Bodnar, individually or in combination, do not render Claims 1-4, 7, 9-14, 24-25, 28 and 30 unpatentable.

The Examiner's remaining rejections are all based, in part, on the combination of Sullivan and Bodnar, in light of other references. Specifically, Claims 5-6 and 26-27 stand rejected under 35 U.S.C. §103 as being unpatentable over the combination of Sullivan and Bodnar, in further view of Edeman (U.S. Patent No. 5,680,563), Claims 8 and 29 stand rejected under 35 U.S.C. §103 as being unpatentable over Sullivan and Bodnar, in further view of Bates et al. (U.S. Patent No. 5,390,295, "Bates"), Claims 15-

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20 stand rejected under 35 U.S.C. §103 as being unpatentable over Sullivan and Bodnar, in further view of Roth et al. (U.S. Patent No. 6,266,060, "Roth"), and finally, Claims 21-23 stand rejected under 35 U.S.C. §103 as being unpatentable over Sullivan, Bodnar and Roth, and in further view of Raman (U.S. Patent No. 5,748,186, "Raman"). Based on the previous discussion, Applicant submits that since Sullivan and/or Bodnar do not teach various elements of the independent claims, Sullivan and/or Bodnar do not render any of the independent claims unpatentable. The addition of Edeman, Bates, Roth or Raman to Sullivan and/or Bodnar also does not teach or suggest various of these claimed elements of independent Claims 1, 15 and 24. As a result, these references, alone or in combination with Sullivan and/or Roth do not render dependant Claims 5-6, 8, 15-23, 26-27 and 29 unpatentable.

In summary, Applicant submit that none of the cited references, alone or in combination render Claims 1-30 unpatentable. Applicant therefore respectfully requests the Examiner to withdraw the rejection to these claims under 35 U.S.C. §103.

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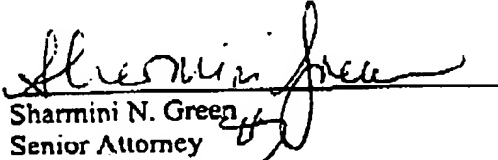
CONCLUSION

Based on the foregoing, Applicant respectfully submits that the applicable objections and rejections have been overcome and that pending Claims 1-30 are in condition for allowance. Applicant therefore respectfully requests an early issuance of a Notice of Allowance in this case. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (310) 406-2362.

If there are any additional charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

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